

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

ARTHUR A. ABSTON,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:22-CV-394-TAV-JEM
)	
ROANE COUNTY, TN,)	
)	
Defendant.)	

ORDER

This civil matter is before the Court on the Report and Recommendation (“R&R”) entered by United States Magistrate Judge Jill E. McCook on March 2, 2023 [Doc. 9]. In the R&R, Judge McCook recommends denying plaintiff’s motion for leave to proceed *in forma pauperis* [Doc. 1]. Further, Judge McCook recommends that plaintiff be afforded twenty-one (21) days to pay the filing fee and file an amended complaint for purposes of screening.

In a previous Order [Doc. 8], Judge McCook directed plaintiff to file a copy of his trust fund account for the last six months on or before February 24, 2023, and he failed to comply with this order. Additionally, after screening the complaint, Judge McCook allowed Plaintiff until February 24, 2023, to file an amended complaint, yet he failed to do so within the time allowed.

There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. 636(b)(1); Fed. R. Civ. P. 72.

After a careful review of the matter, the Court agrees with Judge McCook's recommendations and **ACCEPTS** and **ADOPTS** the R&R [Doc. 9] in whole.

Accordingly, it is hereby **ORDERED** that plaintiff's motion for leave to proceed *in forma pauperis* [Doc. 1] is **DENIED**. Plaintiff is **ON NOTICE** that failure to comply with this Order, specifically paying the filing fee and filing an amended complaint for purposes of screening within twenty-one (21) days, may result in dismissal of this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE